

## REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 13 and 29 are amended. Claims 13-29 are pending.

### I. Rejection under 35 U.S.C. § 103

In the Office Action, at page 3, claims 13-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,195,342 to Rohani in view of U.S. Publication No. 2002/0077103 to Bonta. This rejection is respectfully traversed because the combination of the teachings of Rohani and Bonta does not suggest a method for operating a mobile radio system with a first group of adjacent radio cells and a second group of adjacent radio cells, the first and the second groups of radio cells belonging to different mobile radio networks, the first and second groups of radio cells being overlaid on each other, including:

identifying a sub-group of radio cells from the second group belonging to a different mobile radio network than the first group, based on which radio cell of the first group has the best signal quality; and

measuring signal quality from the mobile station to the sub-group of radio cells from the second group but not to other radio cells of the second group that are not included in the subgroup,

as recited in independent claim 13.

Rohani discusses that a neighbor list is modified according to a location of a mobile station. However, as conceded by the Examiner, Rohani does not discuss or suggest identifying a sub-group of radio cells from a second group based on which radio cell of the first group has the best signal quality and measuring the signal quality from the mobile station to the sub-group of radio cells from the second group but not to other radio cells of the second group that are not included in the sub-group. The Examiner indicates that Bonta makes up for the deficiencies in Rohani. The Applicants respectfully disagree.

Bonta discusses that as a mobile unit 12 moves through a coverage area of system 10, a GPS assisted location approach performs periodic location estimates of the mobile unit 12. Cells I-VII define the coverage area of the system 10. The coverage area of the system 10 is assigned a reference frame such as a grid 14, where each grid element accounts for variance in the estimate made by the GPS assisted location approach. Grid elements 16-20 are each assigned a code wherein each code corresponds to a unique neighbor list. The neighbor list is

defined as a group of cells that are deemed neighbors for that particular location or grid element, which is independent of the location of the current serving cell.

However, first, the grid elements 16-20 are not a group of radio cells that belong to a different mobile radio network than the first group of radio cells. There is no discussion in either Rohani or Bonta of identifying a first group of radio cells that is distinct from a second group of radio cells, each of the groups belonging to different mobile radio networks.

Further, while Bonta does discuss optimizing a grid element (i.e., 17) to include only neighbors (VI, VII) of the grid element 17 that are not serving cell I, Bonta does not suggest that a sub-group of radio cells from the second group belonging to a different mobile radio network than the first group is identified based on which radio cell of the first group has the best signal quality. In particular, sub-groups of radio cells (i.e., VI, VII) grid element 17 cannot be considered to be a sub-group of radio cells from a second group belonging to a different mobile radio network than the first group.

In addition, even incorporating the grid elements 16-20 of Bonta into the system of Rohani in which a neighbor list is modified according to a location of a mobile station does not suggest identifying a sub-group of radio cells from a second group, based on which radio cell of the first group has the best signal quality. There is no indication from either Rohani or Bonta, alone or in combination, that groups of cells (which may include sub-groups) are coordinated with one another such that a sub-group of radio cells from a second group would be identified based on which radio cell of a first group has the best signal quality. I

Further, the motivation cited of "to generate and assign an optimal neighbor list based on the actual location of the mobile station" does not suggest how the teachings of Rohani and Bonta would be combined to suggest identifying a sub-group of radio cells from a second group based on which radio cell from a first group has the best signal quality, where the first and second groups of radio cells are overlaid on each other and each belong to a different mobile radio network.

Therefore, as the combination of the teachings of Rohani and Bonta does not suggest a method for operating a mobile radio system with a first group of adjacent radio cells and a second group of adjacent radio cells, the first and the second groups of radio cells belonging to different mobile radio networks, the first and second groups of radio cells being overlaid on each other, including "identifying a sub-group of radio cells from the second group belonging to a different mobile radio network than the first group, based on which radio cell of the first group has the best signal quality; and measuring signal quality from the mobile station to the sub-group

of radio cells from the second group but not to other radio cells of the second group that are not included in the subgroup," as recited in independent claim 13, claim 13 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Further, the combination of the teachings of Rohani and Bonta does not suggest a device to determine a sub-group of adjacent radio cells in a mobile radio system with a first group of adjacent radio cells and a second group of adjacent radio cells, the first and the second groups of radio cells belonging to different mobile radio networks, the first and second groups of radio cells being overlaid on each other, including "...an identification unit to identify a sub-group of radio cells from the second group belonging to a different mobile radio network than the first group, based on which radio cell of the first group has the best signal quality; and a second measurement unit to measure signal quality from the mobile station to the sub-group of radio cells from the second group but not to other radio cells of the second group that are not included in the sub-group," as recited in independent claim 29. Therefore, claim 29 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claims 14-28 depend either directly or indirectly from independent claim 13 and include all the features of claim 13, plus additional features that are not suggested by the references relied upon. For example, claim 15 recites that "the radio cells of the first group are operated in a different frequency range from radio cells of the second group." Therefore, claims 14-28 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

**Conclusion**

In accordance with the foregoing, claims 13 and 29 are amended. Claims 13-29 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By:   
Kari P. Footland  
Registration No. 55,187

1201 New York Avenue, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501